

IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 12 NO.:

DAREL WAYNE NICHOLSON

20 – 10869 – SDM

**TRUSTEE’S MOTION TO DISMISS**

COMES NOW Trustee, Harold J. Barkley, Jr., and files his Motion to Dismiss the above styled and numbered case; and in support thereof would most respectfully show unto this Honorable Court as follows;

1. That, Debtor has failed to timely file their *Debtor-in-Possession Monthly Operating Reports* for filing periods of January 2021, February 2021 and March 2021.

2. That, Debtor should be required to file their *Debtor-in-Possession Monthly Operating Reports* for filing periods January, 2021, February 2021 and March 2021 on or before a hearing hereon or this case should be dismissed.

3. Other grounds to be shown at a hearing hereon.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this Motion be received and filed, and at a hearing hereon this Honorable Court will enter its Order sustaining Trustee’s Motion, and for such other, further and general relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: May 11, 2021

Respectfully submitted,

/s/Harold J. Barkley, Jr.

HAROLD J. BARKLEY, JR. – MSB #2008

CHAPTER 12 TRUSTEE

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### CERTIFICATE

I, Harold J. Barkley, Jr., Trustee do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the following parties by United States Mail, postage prepaid or by ECF Filing Notification:

Office of the U. S. Trustee  
[Ustpreion05.ja.ecf@usdoj.gov](mailto:Ustpreion05.ja.ecf@usdoj.gov)

Hon. Craig M. Geno PLLC  
[cmgeno@cmgenolaw.com](mailto:cmgeno@cmgenolaw.com)

Darel Wayne Nicholson  
32958 Hwy 45 North  
Nettleton, MS 38858

Dated: May 11, 2021

/s/Harold J. Barkley, Jr.  
HAROLD J. BARKLEY, JR.